

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO
1076274TYPE
CRDATE OF REPORT
28-SEP-2016

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: ☐ CHIEF ADMINISTRATOR,
INDEPENDENT POLICE REVIEW AUTHORIT☒ CHIEF,
BUREAU OF INTERNAL AFFAIRS

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
TIRADO, MARCO	9171	2438		121	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: 727 E. 111TH ST, CHICAGO, IL 60628

DATE / TIME 22-JUL-2015 00:07

BEAT: 531

ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
WIBERG, WAYNE A	9173	514		020		M / WHI		02-MAY-1994	YES	YES
JOHNSON, KEVIN R	9752	231		005	011	M / BLK		30-JAN-1991	YES	YES
PIGOTT, MICHAEL K	9175	8		005	124	M / WHI		02-JAN-1992	YES	YES

REPORTING PARTY

NAME	ADDRESS*	CITY	TELEPHONE	SEX / RACE	DOB / AGE
				F / BLK	/ 50

VICTIMS

NAME	ADDRESS*	CITY	TELEPHONE	SEX / RACE	DOB / AGE
				F / BLK	/ 50

WITNESSES

NAME	ADDRESS*	CITY	TELEPHONE	SEX / RACE	DOB / AGE
				M / BLK	/ 37

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

CR-SWORN AFFIDAVIT NOT REQUIRED

*****SEE ATTACHED*****

SUMMARY

*****SEE ATTACHED*****

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
NONE	12, 14, 17, 20, 23, & 25 thru 44.	NONE	FORTY-FOUR (44)

FINDINGS - RECOMMENDATIONS

*****SEE ATTACHED*****

DATE INITIATED
(Date incident was received for investigation)

23-JUL-2015

DATE COMPLETED (Date of this report)

28-SEP-2016

ELAPSED TIME
(Total time expressed in days)

433

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF V

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ALLEGATIONS against WIBERG

1. The reporting party, [REDACTED] of the 5th District alleges that Lt. Wayne Wiberg #514 discriminated against her because of her race and sex in July 2015.
2. The reporting party, [REDACTED] of the 5th District alleges that Lt. Wayne Wiberg #514 purposely undermined her authority as a tactical team sergeant between February 2015 and July 2015, thus not allowing [REDACTED] to perform her duties effectively.
3. While assigned to the 005th District during 2015, the Reporting Party Complainant, [REDACTED] alleges that the accused, Lieutenant Wayne A. WIBERG, Star #514, subjected her to different terms and conditions of employment by routinely ignoring the chain of command protocol by not directing her tactical team members back to her upon their various internal disputes which in turn undermined her authority over them.
4. While assigned to the 005th District in JULY of 2015, the Reporting Party Complainant, [REDACTED] alleges that the accused, Lieutenant Wayne A. WIBERG, Star #514, Commander Kevin R. JOHNSON, Star #231, and Captain Michael K. PIGOTT, Star #8, all acted unethically by having her tactical team dismantled in retaliation for several unrelated incidents.
5. On 05-NOV-15, The Reporting Party Complainant, [REDACTED] alleges that she was being discriminated against by the accused Lieutenant Wayne A. WIBERG, Star #514, Commander Kevin R. JOHNSON, Star #231, and Captain Michael K. PIGOTT, Star #8, because of her race, black, and gender, female, in retaliation for engaging in protected activity.

ALLEGATIONS against JOHNSON

1. While assigned to the 005th District during 2015, the Reporting Party Complainant, [REDACTED] alleges that the accused, Commander Kevin R. JOHNSON, Star #231, and Captain Michael K. PIGOTT, Star #8, both failed to take proper action when she informed them that Lieutenant Wayne A. WIBERG, Star #514, was discriminating against her, slandering her name and not treating her fairly.
2. While assigned to the 005th District in JULY of 2015, the Reporting Party Complainant, [REDACTED] alleges that the accused, Commander Kevin R. JOHNSON, Star #231, Captain Michael K. PIGOTT, Star #8, and Lieutenant Wayne A. WIBERG, Star #514, all acted unethically by having her tactical team dismantled in retaliation for several unrelated incidents.
3. While assigned to the 005th District in JULY of 2015, the Reporting Party Complainant, [REDACTED] alleges that the accused, Commander Kevin R. JOHNSON, Star #231, and Captain Michael K. PIGOTT, Star #8, unjustly threaten to remove her as a tactical Sergeant because of the lawful actions taken by two of her tactical officers documented under RD#: HY337057 causing [REDACTED] much undue stress as a result.
4. On 05-NOV-15, The Reporting Party Complainant, [REDACTED] alleges that she was being discriminated against by the accused Commander Kevin R. JOHNSON, Star #231, Captain Michael K. PIGOTT, Star #8, and Lieutenant Wayne A. WIBERG, Star #514, because of her race, black, and gender, female, in retaliation for engaging in protected activity.

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ALLEGATIONS against PIGOTT

1. While assigned to the 005th District during 2015, the Reporting Party Complainant, [REDACTED] alleges that the accused, Captain Michael K. PIGOTT, Star #8, and Commander Kevin R. JOHNSON, Star #231, both failed to take proper action when she informed them that Lieutenant Wayne A. WIBERG, Star #514, was discriminating against her, slandering her name and not treating her fairly.
2. While assigned to the 005th District in JULY of 2015, the Reporting Party Complainant, [REDACTED] alleges that the accused, Captain Michael K. PIGOTT, Star #8, Commander Kevin R. JOHNSON, Star #231, and Lieutenant Wayne A. WIBERG, Star #514, all acted unethically by having her tactical team dismantled in retaliation for several unrelated incidents.
3. While assigned to the 005th District in JULY of 2015, the Reporting Party Complainant, [REDACTED] alleges that the accused, Captain Michael K. PIGOTT, Star #8, and Commander Kevin R. JOHNSON, Star #231, unjustly threaten to remove her as a tactical Sergeant because of the lawful actions taken by two of her tactical officers documented under RD#: HY337057 causing [REDACTED] much undue stress as a result.
4. On 05-NOV-15, The Reporting Party Complainant, [REDACTED] alleges that she was being discriminated against by the accused Lieutenant Wayne A. WIBERG, Star #514, Commander Kevin R. JOHNSON, Star #231, and Captain Michael K. PIGOTT, Star #8, because of her race, black, and gender, female, in retaliation for engaging in protected activity.

SUMMARY

This Equal Employment Opportunity (EEO) based case was originally assigned to Sergeant Don DE VITO, Star #944 (see Att. 2). On 05 APR 2016, DE VITO closed this case as only to the first two (2) original allegations mentioned above against the accused Lieutenant Wayne A. WIBERG, Star #514, submitting his findings and recommendation of unfounded as to both allegations (see Att. 44). After its approval, it was later determined by the Bureau of Internal Affairs (BIA) Command Staff that additional investigation on said case was needed. Due to DE VITO'S absence as a result of his scheduled furlough, BIA Command Staff asked Reporting Sergeant to follow-up and complete this investigation.

On 15 JUN 2016, Reporting Sergeant immediately reviewed DE VITO'S Summary Report Digest and all related documents and determined that the following allegations would be necessary to address the Command Staff concerns (see Atts. 4, 6, 7, 8, 9, 10, 11, 12, 13, & 44). The above three (3) additional allegations (numbered 3-5) against WIBERG were issued and two (2) additional accused Department members were identified: former 005th District Commander Kevin R. JOHNSON, Star #231, and former 005th District Executive Officer Captain Michael K. PIGOTT, Star #8. It was based on [REDACTED] statement, intra-departmental correspondences, and Illinois Department of Human Rights charge# 2016CR1673, that Reporting Sergeant was able to identify the above four (4) allegations against JOHNSON and PIGOTT which are exactly the same (see Atts. 5, 6, 7, 9, & 10). All of [REDACTED] allegations related to this investigation

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stem from her race and gender EEO based complaint submitted to the IDHR on 05 NOV 15 and received by the Department on 26 FEB 16 (see Atts. 5, 6, 7, 9, & 10).

Reporting Sergeant immediately notified and interviewed JOHNSON and PIGOTT separately on 20 JUN 2016 (see Atts. 17 & 20). Reporting Sergeant interviewed WIBERG on 23 JUN 2016 (see Att. 14). All of their statements were consistent and provided clarity as to the actual circumstances surrounding the Reporting Party Complainant's, [REDACTED] tactical team (see Atts. 14, 17, & 20). WIBERG had mentioned a discussion concerning [REDACTED] that was brought to his attention by [REDACTED] a former member of her tactical team (see Att. 14). Accordingly, Reporting Sergeant interviewed [REDACTED] on 11 AUG 16 (see Att. 23).

[REDACTED] alleges that she was discriminated by WIBERG in that he subjected her to different terms and conditions than her fellow tactical sergeants because he would undermine her authority (see Att. 10). [REDACTED] alleges that whenever something came up on her tactical team WIBERG would take action without considering her input (see Atts. 5, 6, 7, 9 & 10). [REDACTED] asserts that his actions permitted her subordinates to circumvent her supervision without the proper chain of command (see Atts. 5, 6, 7, 9, & 10). [REDACTED] also alleges that such actions by WIBERG created a hostile work environment for her (see Att. 6). [REDACTED] states that she brought this matter to WIBERG'S attention (see Att. 7).

In her statement and intra-departmental reports, [REDACTED] identifies five incidents as the basis of her alleged treatment (see Atts. 6, 7, & 9). For brevity and clarity, Reporting Sergeant has broken them down into the following synopsis:

- (1) The TOLIVER and WRIGHT incident whereby [REDACTED] alleges insubordination by WRIGHT and disagreed with WIBERG'S decision not to remove him from her tactical team and accused WIBERG of overstepping her authority.
- (2) The CARTER, [REDACTED], & EDWARDS incident whereby [REDACTED] added a third person (EDWARDS) to CARTER'S and [REDACTED] car because they feuded too much and then accused WIBERG of undermining her command because he honored [REDACTED] and EDWARDS' request to be partners.
- (3) The formal counseling session (of TOLIVER by [REDACTED] incident under the direction of JOHNSON and PIGOTT for his alleged insubordination after [REDACTED] had previously requested via an intra-departmental report that he be removed from her tactical team.
- (4) The WIBERG retaliation incident whereby [REDACTED] alleges that he "*purposely and maliciously*" removed and replaced CARTER, TOLIVER and WRIGHT from her team with three less productive officers under the guise of being compliant with a Bureau of Patrol directive.

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- (5) The meeting with JOHNSON and PIGOTT whereby [REDACTED] alleges to have discussed the unfair treatment and discrimination by WIBERG and to obtain clarity as to why CARTER was removed from her team.

[REDACTED] alleges that WIBERG, JOHNSON, and PIGOTT all acted unethically by having her tactical team dismantled in retaliation for these unrelated incidents mentioned above (see Att. 6). [REDACTED] also alleged that WIBERG, JHONSON, and PIGOTT discriminated against her because she is a black female and in retaliation for engaging in protected activity (see Att. 10).

[REDACTED] further alleged that JOHNSON and PIGOTT both failed to take proper action when she informed them that WIBERG was discriminating against her, slandering her name and not treating her fairly and that they both unjustly threaten to remove her as a tactical Sergeant because of the lawful actions taken by two of her tactical officers documented under RD#: HY337057 causing her much undue stress as a result (see Atts. 6, 7, & 43).

WIBERG, JOHNSON, and PIGOTT deny all of the above allegations (see Atts. 14, 17 & 20). All of the accused members stated that [REDACTED] never informed them that she was being discriminated against (see Atts. 14, 17 & 20). WIBERG denies saying any false statements about [REDACTED] and asserted that he never inhibited or alienated [REDACTED] (see Att. 14). WIBERG further stated that he never undermined [REDACTED] authority or treated her differently, nor subjected her to different terms and conditions at work and asserted that he did not give any tactical sergeant preferential treatment (see Att. 14).

WIBERG states that he had an open door policy whereby he would discuss matters first with a police officer then with their respective sergeant then with all of them (see Att. 14). WIBERG explained that if a tactical officer had an issue that they felt their respective sergeant could not handle they would go to him because he was their tactical Lieutenant. When asked by Reporting Sergeant why it seemed that [REDACTED] tactical team members had so many issues with her, WIBERG explained that the issue was not so much working for [REDACTED] as it was working with Police Officer Scott R. CARTER, Star# 7429, a fellow tactical team member (see Att. 14).

Unbeknownst to [REDACTED] WIBERG explained that it was brought to his attention on more than one occasion by members of her team that CARTER was receiving preferential treatment from [REDACTED] (see Att. 14). For instance, if CARTER wanted a certain day off it would be granted and another member's request to have the same day off would be denied (see Att. 14). In one instance, WIBERG related that officer [REDACTED] was just not comfortable working with CARTER anymore because of things

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he had witnessed between CARTER (his partner) and [REDACTED] (his sergeant) (see Atts. 14 & 23). As a result, WIBERG honored [REDACTED] request to partner up with EDWARDS instead of CARTER. WIBERG went on to call [REDACTED] an excellent officer who was often clouded because of her relationship with CARTER (see Atts. 14 & 23).

WIBERG goes on to state that there were rumors and innuendos that [REDACTED] might have a relationship with CARTER (see Att. 14). He went on to describe it as a "borderline" rumor because it was pretty public knowledge that [REDACTED] and CARTER had a relationship outside of work from every person on the tact team including individuals on the street who at times knew of this relationship (see Att. 14). WIBERG further elaborated on their rumored relationship by stating that they would come and go to parties together (see Att. 14). He stated there were even conversations between members of their team about [REDACTED] and CARTER having domestic disputes in the squad car or out on the street (see Att. 14).

PIGOTT stated there were rumors that [REDACTED] who is married, had been engaged in an extramarital affair with CARTER, who is also married, and that was one of the reasons that her other tactical team officers felt pressured and did not want to work on her team (see Att. 20).

Although [REDACTED] could not confirm a "romantic relationship" between CARTER and [REDACTED] he did state that their relationship seemed to be more "personal" than business (see Att. 23). For example, [REDACTED] stated when working with CARTER that they would do things that other tactical team members were not aware about when requested by [REDACTED] (see Att. 23). In one instance, he related that while working with CARTER that they went to check up on [REDACTED] at a daycare facility she owned in the 004th District (see Atts. 23 & 42).¹ During this incident, [REDACTED] recalled CARTER helping [REDACTED] clean-up her day-care facility (see Att. 23). [REDACTED] did confirm that he went directly to WIBERG regarding his request to partner up with EDWARDS because he knew [REDACTED] would not have honored it due to her personal relationship with CARTER (see Att. 23).

WIBERG also related that [REDACTED] had requested that Police Officers Jason M. TOLIVER, Star# 8597, and Eric D. WRIGHT, Star# 7655, be removed from her team because she had a disagreement and felt disrespected by them (see Att. 14). One reason WIBERG did not remove them was because they were two (2) of her most

¹ State and City business data reports identify said establish as [REDACTED] located at [REDACTED] (see Att. 42). These reports also identify another establishment located at 2253-2257 E. 71st St. (003rd District) (see Att. 42).

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productive officers (see Atts. 14, 35 & 36). The origins of this incident stemmed again from CARTER'S alleged preferential treatment by [REDACTED]. WIBERG related that TOLIVER and WRIGHT had an arrest and [REDACTED] then asked CARTER to finish it and ordered TOLIVER and WRIGHT back to the street. TOLIVER and WRIGHT were not in concurrence with her decision in that CARTER did not initiate the arrest (see Att. 14). WIBERG described CARTER as hard working but did point out that some of his work may not have been self-initiated, e.g., processing an offender in custody, versus self-initiating, e.g., search warrant (see Att. 14).

[REDACTED] states that she spoke with PIGOTT regarding TOLIVER'S insubordination and that he recommended she initiate a formal counseling session with him. [REDACTED] believes this set her up for backlash from WIBERG upon his return because TOLIVER was a favorite of his and her team was then broken-up, i.e., by having members removed (see Att. 7). WIBERG states that he was on furlough during the time when [REDACTED] conducted a formal counseling session of TOLIVER (see Att. 14). WIBERG also astutely pointed out that [REDACTED] tactical team was never broken up as alleged. WIBERG states that manpower balancing changes were made at the behest of former Chief of Patrol Wayne GULLIFORD'S request pursuant to B.O.P. #15-0033 (see Att. 38). This directive, dated 22 MAY 2015, by GULLIFORD was also reiterated by JOHNSON and PIGOTT (see Atts. 17, 20, & 38). Although on furlough during this time WIBERG admits to being contacted and consulted by his tactical office and submitted his recommendations accordingly via email attachment almost two months after on 17 JUL 2015 (see Atts. 14 & 40).

JOHNSON stated that he was informed by [REDACTED] that WIBERG was not treating her fairly because of a complaint registration number that was initiated against her officers (CARTER & RASKE) (see Att. 17). JOHNSON informed her that if WIBERG was treating her unfair that she should submit a report to him but he never received anything from her (see Att. 17). [REDACTED] believes this specific incident to have been in retaliation for her requesting to remove TOLIVER from her team (see Att. 7).

Upon receiving a complaint from a third-party, on 16 JUL 15, regarding an arrest made by CARTER and RASKE, PIGOTT initiated a complaint registration number against them (including [REDACTED]) which was documented under CL# 1076161 (see Atts. 20 & 43). This investigation was closed by Sgt. Joseph DICKMAN on 23 SEP 15 due to lack of cooperation from the Reporting Party (see Att. 43). Nonetheless, the initiation of this report is of extreme importance because it provides substantial evidence of the accused members' actions in light of the accusations being made. The following is the complete narrative of PIGOTT'S initiation report:

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It is alleged that Officers Carter and Raske conducted a traffic stop of the complainant's vehicle and issued an inappropriate parking ticket for expired plates. It is further alleged that the officers let the driver of the vehicle, Armani Baines, leave the scene, while bringing the complainant in to the station and inventorying her vehicle for a small amount of cannabis that was in the possession of Eric Galnes. P.O. Sean Davis #19218, was on the phone with the complainant during the traffic stop and overheard the interaction between the complainant and the officers. It is also alleged that when the complainant spoke with [REDACTED] in the presence of P.O. Davis, and stated that she was going to file a complaint, [REDACTED] responded, "Go ahead, I will be the one to investigate it anyway" (see Att. 43).

PIGOTT stated that it was because of this incident that he made a recommendation to JOHNSON that CARTER and RASKE be removed from the tactical team (see Att. 20). PIGOTT explained further that CARTER and RASKE choose to process a misdemeanor cannabis arrest on a busy summer evening and *"they went and did what they wanted to do and did not follow directions of the organization which is to ANOV Cannabis arrest and for tact teams in plain clothes in unmarked vehicles to be out on the street preventing violence instead they spent four (4) hours on a busy evening processing a nickel bag (approximately 5 grams) which is a colossal waste of resources and manpower especially in a busy district that has a propensity for violence"* (see Att. 20).

After, this incident [REDACTED] alleges that she was *"threatened"* to be removed as tactical sergeant by PIGOTT and JOHNSON during their meeting; however, JOHNSON provided clarity by stating that she was not threatened but put on "notice" and PIGOTT explained that they were considering whether she would remain because she was aware of their (CARTER & RASKE) actions contrary to Department direction and did nothing to prevent her officers' actions in the above related incident (see Atts. 17 & 20).

CONCLUSION

After examining all of the surrounding facts and circumstances, particularly the related statements and documents, Reporting Sergeant has determined that all of the allegations against the accused members are unfounded. Every accused member vehemently denied all the allegations made against them by [REDACTED] and offered clear supported explanations as to each of the incidents [REDACTED] specifically identified as being the basis of her alleged discrimination. There is absolutely no indication that [REDACTED] was ever subjected to different terms and conditions by WIBERG. [REDACTED] never provided any substantial evidence to give any indication that she was subject to different terms and conditions. The facts revealed that the tactical/mission supervisor assignments in the 005th District were never disturbed and already in place prior to the arrival of any of the accused members (see Atts. 14, 17, 20,

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& 23).² It is also important to point out that JOHNSON and all but three (3) of [REDACTED] nine tactical officers during the time period of her allegations are black (see Att. 34).³

Based on the statements of the accused members and witness, [REDACTED] allegations were extremely subjective in nature and grossly exaggerated and not factual. [REDACTED] experience on her tactical team proved to be invaluable in this investigation as it provided clarity and confirmed the unsubstantiated beliefs of all the accused parties regarding [REDACTED] having some sort of "personal relationship" with CARTER, her subordinate (see Atts. 14, 17, 20, & 23). After [REDACTED] statement, Reporting Sergeant terminated the investigation any further pursuant to Department directive entitled "Conduct of Complaint Investigations" (see Att. 26).

The facts strongly indicate that [REDACTED] dismay had nothing to do with her EEO based complaint but rather dealt with the disruption of a fraternization relationship she had with her subordinate, CARTER. However, because the Department does not address the matter of fraternization, this created an awkward situation for everyone involved. Although it was easier for her superiors to simply mind their business in this regard it was more problematic for her officers as evident by [REDACTED] statement (see Att. 23). It proved to be a situation that he could no longer endure (see Att. 23).

It is clear from her verbal and written statements that [REDACTED] is very upset with CARTER'S removal. In fact, when Reporting Sergeant asked PIGOTT how [REDACTED] reacted when she was informed that her two officers were going to be removed from her tactical team, PIGOTT recalled that she seemed focused on CARTER and was very emotional about his removal but as far as RASKE "it was kind of just matter of fact" (see Att. 20). JOHNSON recalls that [REDACTED] was extremely emotional almost in tears and that she referred to everyone on her team by their last names except for CARTER who she referred to by first name (see Att. 17). In her IDHR complaint, [REDACTED] also states that *"During my employment, I have been subjected to different terms and conditions of employment, including, but not limited to, having management undermine my authority and having one of my most productive officers [CARTER] reassigned. . ."*

² In addition to [REDACTED] the 005th District Tactical/Mission team consisted of two (2) white female sergeants (Dawn M. LOVE, Star# 1437 and Sarah G. VANTOF, Star# 1433) and two white male (2) sergeants (Lawrence T. LYNCH (retired) and James D. CASCOE, Star#560 (promoted to Lt.) (see Att. 14).

³ During the time period of [REDACTED] allegations her team primarily consisted of the following officers Charles J. BARANGO, Star #15937, Scott R. CARTER, Star#7429, Charita M. EDWARDS, Star #10095, Israel GAMEZ, Star#15210, Louis C. MOORE Jr., Star#5491, [REDACTED], Alex S. RASKE, Star #11186, Jason M. TOLIVER, Star #8597, and Eric D. WRIGHT, Star #7655. All of whom are black for the exception of BARANGO and RASKE who are white and GAMEZ who is Hispanic (see Atts. 23, 34 & 4).

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(see Att. 10). During her 07-OCT-2015 statement, [REDACTED] also repeatedly stressed her dismay in having CARTER removed from her team (see Att. 7).

WIBERG acted in accordance with his role as the Tactical Lieutenant of the 005th District in accordance with Department directives and pursuant to his management rights under his collective bargaining agreement (see Atts. 27, 28, 29, & 32). The Department follows a simple military based chain of command whereby a Lieutenant is of a higher order of rank than a Sergeant (see Att. 29). Among other things, a Tactical Lieutenant will work closely with the district commander and executive officer and is responsible for the efficiency of tactical unit operations and the coordination of tactical teams with the district (see Atts. 27 & 28). Ultimately, it is the Tactical Lieutenant who is in command of all of the District Tactical Teams (see Atts. 27 & 28). The only reason why [REDACTED] officers did not directly follow the standard chain of command by going directly to her was because she was part of their respective problem and/or complaint due to her relationship with CARTER (see Att. 14 & 23). In light of this awkward fraternization circumstance, WIBERG attempted to address the concerns of [REDACTED] officers by listening to them such as in the case of TOLIVER, WRIGHT, and [REDACTED] (see Att. 14 & 23).

Furthermore, [REDACTED] speculation that she was being retaliated against by having her team dismantled, i.e., CARTER removed, for subjecting TOLIVER to a counseling session is completely and utterly unsubstantiated. A request by Reporting Sergeant for said counseling session report produced negative results (see Att. 39). Albeit, said report should be in TOLIVER'S personnel file in the 005th District, this does not necessarily mean such report was not issued. Even though, CARTER, RASKE, and [REDACTED] were all considered for removal by PIGOTT and JOHNSON for not following Department protocol initiative during an arrest, Department records reveal this never happened (see Atts. 17 & 20). CARTER, TOLIVER and WRIGHT were moved to different teams by WIBERG in accordance with the former Chief of Patrol's directive (see Att. 38). Although [REDACTED] correctly states that CARTER was replaced with three (3) less productive officers, Department records indicate that their replacements had very good activity numbers with even more impressive complimentary histories (see Atts. 7, 9, 35, 36, 40 & 41).⁴ In light of [REDACTED] prior issues with TOLIVER and WRIGHT, it seems as though WIBERG took this into consideration with his changes. The tensions among [REDACTED] tactical team members in working with CARTER, as disclosed by [REDACTED], WIBERG and [REDACTED], also makes CARTER'S move to another team seem long overdue.

⁴ On 17-JUL-2015, WIBERG replaced CARTER, TOLIVER, & [REDACTED] with the following three (3) officers: Brian P. PURTELL, Star#3217, Raymundo HERRERA, Star#9994, and Cynthia R. CIRELLO, Star#15671 (see Atts. 40 & 41).

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██████████ states that she wrote an intra-department correspondence requesting to have TOLIVER'S tactical detail cancelled but submitted a counseling session report on him instead only after she consulted with PIGOTT (see Atts. 6 & 7). Whether ██████████ consulted with PIGOTT on this matter is irrelevant in that ██████████ and not PIGOTT had the sole insight as to TOLIVER'S actions and discretion as to what measures she should take against her subordinate. In fact, based on her allegations of insubordination by TOLIVER (and WRIGHT) the proper disciplinary measure would have been to obtain a complaint register number (Rule 7 Violation) and not a counseling session report which is a non-disciplinary measure meant to address performance issues (see Atts. 30 & 33). Department records further reveal that TOLIVER did not have any performance issues during 2015 (see Att. 35). To the contrary, TOLIVER'S activity and complimentary history from 11-JUL-14 through 11-JUL-2015 was excellent (see Atts. 35 & 36).

Reporting Sergeant has determined that no violation of our Department's EEO policy took place as a result of the allegations presented. The actions of all of the accused parties were not discriminatory. Although the complainant filed a charge of discrimination with the IDHR she has failed to state a relative claim in her interview and all relative documents provided. As a result, ██████████ did not invoke a protected class status which is a key element of a violation of our Department's EEO policy (see Att. 25). ██████████ never suffered any harm from any of the actions related to this investigation. In fact, she is now a supervisor in the coveted Narcotics Section which is a specialized unit. Therefore, based on the findings mentioned above, Reporting Sergeant has terminated any further investigation in this case.

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Special Investigations Section

28 SEP 2016
CR#: 1076274

FINDINGS-RECOMMENDATIONS

ACCUSED: Lieutenant Wayne WIBERG, Star #514,
Employee #32755, Unit 020.

ALLEGATION #3: UNFOUNDED.
ALLEGATION #4: UNFOUNDED.
ALLEGATION #5: UNFOUNDED.

RECOMMENDATION: CASE TO BE FILED-NO DISCIPLINARY ACTION.

ACCUSED: Commander Kevin JOHNSON, Star #231,
Employee #56243, Unit 005.


ALLEGATION #1: UNFOUNDED.
ALLEGATION #2: UNFOUNDED.
ALLEGATION #3: UNFOUNDED.
ALLEGATION #4: UNFOUNDED.

RECOMMENDATION: CASE TO BE FILED-NO DISCIPLINARY ACTION.

ACCUSED: Captain Michael PIGOTT, Star #8,
Employee #44751, Unit XX.

ALLEGATION #1: UNFOUNDED.
ALLEGATION #2: UNFOUNDED.
ALLEGATION #3: UNFOUNDED.
ALLEGATION #4: UNFOUNDED.

RECOMMENDATION: CASE TO BE FILED-NO DISCIPLINARY ACTION.


Marco A. Tirado
Sergeant
Bureau of Internal Affairs

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Approved:

Sgt. Robert D. Vanna #2232
Case Management Supervisor
Bureau of Internal Affairs

[REDACTED]
Gregory G. Klichowski
Lieutenant
Bureau of Internal Affairs
Area South Investigations

[REDACTED]
Robert J. Vinnas
Commander
Bureau of Internal Affairs

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ATTACHMENTS

No.	Type	Related Person	No. of Pages	Narrative
1	FACE SHEET	N/A		
2	CONFLICT CERTIFICATION	N/A		
3	CONFLICT CERTIFICATION	N/A		
4	SWORN AFFIDAVIT FROM COMPLAINANT/WITNESS	OTHER INV. PARTY - [REDACTED]	1	NOT REQUIRED.
5	INITIATION REPORT	N/A	1	Initiation Report - Log # 1076274
6	TO/FROM REPORT	OTHER INV. PARTY - [REDACTED]	3	FROM: [REDACTED] RE: Lt. Wayne WIBERG#514, Tactical Lieutenant 005th District. DATE: 12-AUG-15. NOTE: unsigned by [REDACTED]
7	AUDIO INTERVIEW	OTHER INV. PARTY - [REDACTED]	1	
8	ADDITIONAL INFORMATION	OTHER INV. PARTY - [REDACTED]	1	WILLIAMS AUDIO INTERVIEW CD RECEIPT.
9	TO/FROM REPORT	OTHER INV. PARTY - [REDACTED]	2	FROM: [REDACTED] RE: Lt. WIBERG#514, Tactical Lieutenant 005th District. DATE: 03-NOV-15. NOTE: RE: [REDACTED] REQ 13-OCT-15 Audio Interview Statement changes. ALSO UNSIGNED.
10	TO/FROM REPORT	OTHER INV. PARTY - [REDACTED]	2	FROM: OLA Sgt. Robert FLORES. RE: Additional Allegations (IDHR CHARGE 2016CR1673. EEOC#440-2016-00145). DATE: 26-FEB-16.
11	ACCUSED NOTIFICATION OF ALLEGATIONS FOR WIBERG, WAYNE	ACCUSED - WIBERG, WAYNE		
12	AUDIO INTERVIEW	ACCUSED - WIBERG, WAYNE	1	22-MAR-16, 1st interview conducted by Sgt. DE VITO covering allegations numbers 1 & 2.
13	ADDITIONAL INFORMATION	ACCUSED - WIBERG, WAYNE	1	WIBERG AUDIO INTERVIEW CD RECEIPT. DATE: 22-MAR-16.
14	AUDIO INTERVIEW	ACCUSED - WIBERG, WAYNE	1	23-JUN-16, 2nd interview conducted by Sgt. TIRADO covering allegations numbers 3, 4, & 5.
15	ADDITIONAL INFORMATION	N/A	1	WIBERG AUDIO INTERVIEW CD RECEIPT. DATE: 23-JUN-16.
16	ACCUSED NOTIFICATION OF ALLEGATIONS FOR JOHNSON, KEVIN	ACCUSED - JOHNSON, KEVIN		
17	AUDIO INTERVIEW	ACCUSED - JOHNSON, KEVIN	1	ACCUSED STATEMENT OF CMMDR JOHNSON. DATE: 20-JUN-16.
18	ADDITIONAL INFORMATION	N/A	1	JOHNSON INTERVIEW CD RECEIPT. DATE: 20-JUN-16.

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19	ACCUSED NOTIFICATION OF ALLEGATIONS FOR PIGOTT, MICHAEL	ACCUSED - PIGOTT, MICHAEL		
20	AUDIO INTERVIEW	ACCUSED - PIGOTT, MICHAEL	1	ACCUSED STATEMENT OF CAPTAIN PIGOTT. DATE: 20-JUN-16.
21	ADDITIONAL INFORMATION	N/A	1	PIGOTT/ATTY AUDIO INTERVIEW CD RECEIPT. DATE: 20-JUN-16.
22	WITNESS NOTIFICATION FOR [REDACTED]	WITNESS - [REDACTED]		
23	INTERVIEW - WITNESS	OTHER INV. PARTY - [REDACTED]	1	
24	ADDITIONAL INFORMATION	OTHER INV. PARTY - [REDACTED]	2	WITNESS STATEMENT RECEIPT.
25	DEPARTMENT DIRECTIVE OR GENERAL ORDER	N/A	6	EQUAL EMPLOYMENT OPPORTUNITY POLICY.
26	DEPARTMENT DIRECTIVE OR GENERAL ORDER	N/A	7	CONDUCT OF COMPLAINT INVESTIGATIONS.
27	DEPARTMENT DIRECTIVE OR GENERAL ORDER	N/A	5	BOPSO: 14-06 "DISTRICT TACTICAL TEAMS."
28	DEPARTMENT DIRECTIVE OR GENERAL ORDER	N/A	3	DISTRICT FIELD & TACTICAL LIEUTENANTS.
29	DEPARTMENT DIRECTIVE OR GENERAL ORDER	N/A	3	DEPARTMENT ORGANIZATION FOR COMMAND.
30	DEPARTMENT DIRECTIVE OR GENERAL ORDER	N/A	20	RULES AND REGULATIONS OF THE CHICAGO POLICE DEPARTMENT.
31	DEPARTMENT DIRECTIVE OR GENERAL ORDER	N/A	4	SPECIFIC RESPONSIBILITIES REGARDING ALLEGATIONS OF MISCONDUCT.
32	ADDITIONAL INFORMATION	N/A	2	Article 4: Management Rights.
33	ADDITIONAL INFORMATION	N/A	1	COUNSELING SESSION REPORT. CPD-11.666 (REV. 4/98).
34	ADDITIONAL INFORMATION	N/A	10	PERSONNEL NAME CHECKS.
35	ADDITIONAL INFORMATION	N/A	9	INDIVIDUAL OFFICER ACTIVITY REPORTS: 11-JUL-14 THRU 11-JUL-15.
36	ADDITIONAL INFORMATION	N/A	9	COMPLIMENTARY HISTORIES OF TACTICAL TEAM MEMBERS.
37	ATTENDANCE AND ASSIGNMENT RECORD	N/A	2	CARTER & RASKE 11-JUL-15 thru 20-JUL-15.
38	TO/FROM REPORT	N/A	9	TO: Deputy Chief. FROM: Chief of Bureau of Patrol Wayne M. GULLIFORD. SUBJECT: Tactical Team Complement. DATE: 22-MAY-15.
39	TO/FROM REPORT	N/A	2	SUBJECT: Counseling Session Report Request.

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40 TO/FROM REPORT N/A

41 ADDITIONAL INFORMATION N/A

42 ADDITIONAL INFORMATION N/A

43 SUMMARY REPORT DIGEST N/A

44 SUMMARY REPORT DIGEST N/A

3 TO: Commander Kevin Johnson. FROM: Lt. Wayne Wiberg. SUBJECT: B.O.P.#15-0033.4. DATED: 17-JUL-2015. (NOTE: unsigned & sent as an email attachment & cc'd to multiple parties including [REDACTED])

9 Personnel Name Checks, Activity Reports, & Complimentary Histories on the following: Brian P. PURTELL#3217, Raymundo HERRERA#9994, & Cynthia R. CIRELLO#15671. NOTE: these were WIBERG'S Replacements for the 562 [REDACTED] TACT TEAM in 17 JUL 15.

11 STATE & CITY DETAILED BUSINESS REPORTS: [REDACTED]

48 Related CL#: 1076161 submitted by DICKMAN. DATE: 23-SEP-16.

7 Submitted by DE VITO. DATE: 05-APR-16.

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28 SEPTEMBER 2016
CR#: 1076274

TO: Gregory G. Klichowski
Lieutenant
Bureau of Internal Affairs


FROM: Marco A. Tirado
Sergeant
Bureau of Internal Affairs


SUBJECT: Completion of Complaint Register Number 1076274


The attached Complaint Register Number investigation is completed and submitted for your approval.


Marco A. Tirado
Sergeant
Bureau of Internal Affairs

Approved:


Sgt. Robert D. Vanna #2232
Case Management Supervisor
Bureau of Internal Affairs


Gregory G. Klichowski
Lieutenant
Bureau of Internal Affairs
Area South Investigations


Robert D. Vanna
Commander
Bureau of Internal Affairs